



U.S. Department of Justice

Michael J. Sullivan
United States Attorney
District of Massachusetts

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Federal Building and Courthouse
1550 Main Street, Room 310
Springfield, Massachusetts 01103

October 2, 2006

Alan J. Black
Law Office of Alan J. Black
1383 Main Street
Springfield, MA 0103

Re: United States v. Walter May,
Criminal No. 05-30023-MAP

Dear Attorney Black:

Section 504 of the Adam Walsh Child Protection and Safety Act of 2006 (copy attached) prohibits production in discovery of any materials constituting child pornography. Accordingly, please return the hard drive produced to you in connection with this case. The government will make the computer reasonably available to you for inspection.

Very truly yours,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/Karen L. Goodwin

Karen L. Goodwin
Assistant U.S. Attorney

enc.

cc: Clerk of the Court

<< 18 USCA § 3509 >>

SEC. 504. PREVENTION OF DISTRIBUTION OF CHILD PORNOGRAPHY USED AS EVIDENCE IN PROSECUTIONS.

Section 3509 of title 18, United States Code, is amended by adding at the end the following:

"(m) PROHIBITION ON REPRODUCTION OF CHILD PORNOGRAPHY.--

"(1) In any criminal proceeding, any property or material that constitutes child pornography (as defined by section 2256 of this title) shall remain in the care, custody, and control of either the Government or the court.

"(2)(A) Notwithstanding Rule 16 of the Federal Rules of Criminal Procedure, a court shall deny, in any criminal proceeding, any request by the defendant to copy, photograph, duplicate, or otherwise reproduce any property or material that constitutes child pornography (as defined by section 2256 of this title), so long as the Government makes the property or material reasonably available to the defendant.

"(B) For the purposes of subparagraph (A), property or material shall be deemed to be reasonably available to the defendant if the Government provides ample opportunity for inspection, viewing, and examination at a Government facility of the property or material by the defendant, his or her attorney, and any individual the defendant may seek to qualify to furnish expert testimony at trial."